

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,

v.

**MUNEEB AKHTER,
Defendant.**

Case No. 1:15-cr-124

ORDER

The matter is before the Court on defendant Muneeb Akhter's *pro se* motion under 28 U.S.C. § 2255 for reduction of his sentence based on allegedly ineffective assistance of counsel at his Rule 35(b), Fed. R. Crim. P., hearing. (Doc. 97). That motion was denied by order issued on April 10, 2017. (Doc. 110).

Accordingly, and for good cause,

It is hereby **ORDERED** that the Court expressly declines to issue a certificate of appealability, pursuant to 28 U.S.C. § 2253(c)(2), for the reasons stated in the April 10, 2017 Order, and because defendant has failed to make "a substantial showing of the denial of a constitutional right" with respect to his § 2255 claim. 28 U.S.C. § 2253(c)(2); *Miller-El v. Cockrell*, 537 U.S. 322 (2003).

The Clerk is directed to send a copy of this Order to the *pro se* defendant and all counsel of record.

Alexandria, Virginia
April 10, 2017



T. S. Ellis, III
United States District Judge